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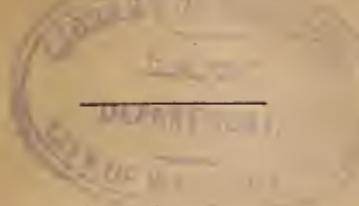
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By RICHARD L. GAY,
BOSTON, MASS.

R.H. 128/17
[ACTS OF 1895, CHAP. 502.]



AN ACT TO

Repeal the Act Relative to Political
Committees and Caucuses

AND TO CONFER CERTAIN POWERS AND DUTIES UPON THE

Election Commissioners of the City of Boston.

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and four of the acts of the year eighteen hundred and ninety-four is hereby repealed.

Duties imposed
upon election
commissioners
of Boston.

SECT. 2. The powers and duties which by law are vested in and imposed upon the mayor and aldermen, registrar of voters or city clerk of the city of Boston in respect to caucuses, shall, except as otherwise specially provided, be vested in and imposed upon the election commissioners of said city.

[ACTS OF 1895, CHAP. 489.]

AN ACT RELATIVE TO Political Committees and Caucuses.

Be it enacted, etc., as follows:

DEFINITION OF TERMS.

Name of act. SECTION 1. This act shall be known and may be cited as the caucus act of eighteen hundred and ninety-five.

Terms defined. SECT. 2. Terms used in this act relating to caucuses shall have application as hereinafter set forth, unless other meaning is clearly apparent from the language or context, or from manifest intent.

The term "**political party**," shall apply to a political party which at the preceding annual state election polled for governor at least three per cent. of the entire vote cast in the state for that office.

The term "**elective office**," shall apply to candidates for any office to be voted for at a state or municipal election. The term "**caucus officers**," shall apply to wardens, clerks, inspectors, chairmen, secretaries and tellers, and when on duty, to additional officers specially elected, or elected to fill a vacancy and taking part in the conduct of caucuses.

The term "**caucus**," and "**political convention**," shall apply only to such as shall be called and held in pursuance of this act.

The term "**political committee**," shall apply only to such as shall be elected in pursuance of this act.

STATE COMMITTEE.

State committee to be chosen annually. Term of office. SECT. 3. Each political party shall annually elect a state committee who shall hold office for one year from the first day of January next following their election and until their successor shall have organized; said committee to consist of at least one member from each senatorial district, to be elected at the convention held for the nomination of a senator from said district to be voted for at the annual state election.

When organized. Officers. The members of the state committee shall, within thirty days from the beginning of their term of office, meet and organize by the choice of a chairman, a secretary and a treasurer, and such other officers as they may decide to elect.

Organization to be filed, etc. The secretary of the state committee shall, within ten days of such organization, file with the secretary of the Commonwealth, and send to each city and town committee, a list of the members of the committee and of the officers hereinbefore named.

Vacancies. Any vacancy occurring in the office of chairman, secretary or treasurer in the committee shall be filled by the action of the committee, and a statement of any change so occurring shall, by the secretary, be filed as in the case of the officers first chosen.

WARD AND TOWN COMMITTEES.

Town and ward committees of not less than three shall be chosen annually.

SECT. 4. Each political party shall, in every ward and town annually elect a committee to be called in the case of a town a town committee, and in the case of a ward a ward committee, which shall consist of not

Term of office. less than three persons, who shall hold office for one year from the first day of January next following their election and until their successors shall have organized, except that whenever a ward committee shall be elected between the first day of January and the first day of June, the members thereof shall hold office for one year from the first day of June next following their election.

CITY AND TOWN COMMITTEES.

City committee how constituted. The members of the several ward committees of a political party in a city shall constitute a committee to be called a city committee.

Committees when and how organized. Each town committee shall annually, on a date between the first day of January and the first day of March following, and each city committee shall, within thirty days from the beginning of their term of office, meet and organize by the choice of a chairman, a secretary and a treasurer, and such other officers as they may decide to elect.

When and with whom list of members and organizations of committees shall be filed.

of which they are a portion, a list of the members of the committee and of the officers hereinbefore named.

Vacancies how filled and statement of changes filed.

so occurring shall be filed by the secretary as in the case of the officers first chosen.

SECT. 5. The secretary of each city and town committee shall, within ten days after such organization, file with the secretary of the Commonwealth, with the clerk of the city or town, and with the secretary of the state committee of the political party

Any vacancy occurring in the office of chairman, secretary or treasurer in a committee shall be filled by the action of the committee, and a statement of any change

Committees may make rules for their conduct and regulations for caucuses.

SECT. 6. Any state, city or town committee may make such rules and regulations for its conduct as are not inconsistent with the provisions of law. And any state, city or town committee authorized by this act to call caucuses for the choice of delegates to political conventions may make rules and regulations relative to such caucuses, not inconsistent with the provisions of law.

Committees existing.

Committees existing at the time this act takes effect shall be deemed to be organized under its provisions.

CAUCUSES.

To whom notices apply.

SECT. 7. All notices for holding caucuses shall apply to all members of the political party whose caucuses are to be held, and to them only.

Persons voting in caucus of one party cannot vote in that of another during same year.

No person having voted in the caucus of one political party shall be entitled to vote or take part in the caucus of another political party in the same calendar year.

Town and city committees may make regulations, to determine membership and to restrain others from taking part in a caucus.

Each town or city committee may make reasonable regulations, not inconsistent with the provisions of law, to determine membership in the party, and to restrain others than those who are entitled to vote at the caucus from attendance thereat or taking part therein.

Independent voter not excluded.

the voter had political office.

But no political committee of any party shall deprive any voter from taking part in a caucus of said party on the ground that

supported an independent candidate for

Caucuses relating to state conventions to be held on one of two consecutive days.

dates to be voted for at the annual state election, shall be held throughout the Commonwealth on one of two consecutive days, designated by the state committee of the political party for which said caucuses are held; and all of

All delegates shall be chosen at one caucus.

Exceptions. caucuses held for choice of delegates to a representative district convention, or for nomination of candidates for the general court, may be called and held as hereinafter provided.

State committee shall designate dates 21 days before caucuses are to be held.

their designation of dates to the chairman and secretary of each city and town committee of their party, and they shall at

May name other days for caucuses relative to candidates for general court. the same time designate two other consecutive days, which shall be at least seven days later than the designation above-provided, as

dates on which caucuses may be held for choice of delegates to a representative district convention, or for nomination of candidates for the general court.

Special provisions relative to candidates for general court.

If at least twelve days prior to the earlier date any representative district committee shall notify the chairman and secretary of each town and ward committee of their party to said district to hold the caucus for choice of

SECT. 8. All caucuses (except for special elections) for choice of delegates to political conventions which nominate candidates to be voted for at the annual state election, and for the nomination of candidates

said delegates shall be elected and all of said candidates shall be nominated at one

caucus, except that caucuses held for choice

delegates to said representative district convention or for the nomination of candidates for the general court on one of said latter dates such caucus shall be so held.

No two parties shall hold caucus same day.

Precedence given to party first filing copy of call.

Every caucus in a town or city to be called and held under election act of 1895.

hundred and ninety-five, and the provisions thereof shall then apply to the conduct and proceedings of any such caucus, but nothing herein shall prevent the enforcement at such caucus of further regulations not inconsistent with the provisions of this act.

Only candidates nominated at caucuses held as herein provided entitled to have names on the ballot, provided for in acts of 1893, Chap. 417.

the year eighteen hundred and ninety-three and acts in amendment thereof and in addition thereto, or shall be entitled to select delegates to a political convention for the nomination of a candidate, whose name shall be placed on the ballots so provided.

Polling places shall be provided without expense in towns and cities.

SECT. 9. No two political parties shall hold their caucuses on the same day.

The party first filing with the secretary of the Commonwealth the copy of the call as above provided shall be entitled to precedence on the days named.

SECT. 10. Every caucus of a political party in a town or city shall be called by a written or printed notice specifying that the same is to be held in accordance with the provisions of the caucus act of eighteen

Except as above provided, no caucus or meeting shall be entitled to nominate a candidate for a public office, whose name shall be placed on the ballots provided in accordance with the provisions of chapter four hundred and seventeen of the acts of

the date on which a caucus is to be held the chairman or secretary of the city or town committee shall notify the board of

SECT. 11. At least two weeks prior to the date on which a caucus is to be held the chairman or secretary of the city or town committee shall notify the board of

aldermen in a city or the selectmen in a town of the date selected for said caucus, and said aldermen or selectmen shall, at the expense of the city or town, provide polling places for said caucuses, and in case of a city, not less than one for each ward; and said aldermen or selectmen shall, at least ten days prior to the date of said caucus, notify said chairman or secretary as to the place so provided.

Notices of caucus shall be given by each town and city committee seven days prior to day of holding. SECT. 12. Notices of caucuses held under the provisions of this act shall be issued by each city and town committee not less than seven days prior to the day on which the caucuses are to be held.

Shall state place where, and day and hour when, to be held.

They shall state the place where, and the day and hour when, the several caucuses are to be held.

How and where posted.

Said notices shall be conspicuously placed or posted in at least five places on a line or lines of public travel, and, if practicable, in every post office within the city or town wherein the caucus is to be held, or shall be published at least twice in one or more local newspapers, if any.

Hour of calling not later than 8 P. M.

The hour for calling the caucus shall not be later than eight o'clock in the evening.

CONDUCT OF CAUCUSES.

Temporary chairman.

The notice for such caucus shall designate by name or office the person who shall call such caucus to order; and the person so designated shall call the caucus to order and preside until a chairman is chosen. In case however the person so designated is absent at the time appointed, any member of the ward or town committee present shall call the caucus to order, and preside until a chairman is chosen.

Organization first in order. The organization of the caucus by the choice of a chairman, secretary, and such other officers as the meeting may require, shall be the first business in order.

Any business that may properly come before the meeting shall next be transacted.

Ballot to be taken. SECT. 13. A ballot shall be taken for the choice of any candidate, delegate or member of a political committee, to be selected by such caucus, and the polls shall be kept open at least thirty minutes.

Polls shall be kept open thirty minutes. In balloting the voting lists last published according to law, with such subsequent additions thereto as may be certified by the registrars of voters, shall be used as check lists.

Registrars to furnish voting lists. The registrars of voters in a city or town, whenever a caucus is called therein in accordance with the provisions of this act, shall, on request of the person designated in the notice thereof to call the caucus to order, furnish him for use in the caucus a certified copy of the voting lists of the town, or of the ward of the city, for which the caucus is to be held, as last published according to law, together with such names of voters as have been added thereto since such publication.

No person to vote, etc., whose name is not on list. No person shall be entitled to vote or to take part in such caucus whose name does not appear upon said list.

Plurality elects. SECT. 14. The person or persons receiving the highest number of votes in a caucus shall be deemed and declared to be elected or nominated.

In case of a tie vote for delegates to a convention. In case of a tie vote for delegates to a convention, or in case of a place being unfilled in a delegation, or in case of a

vacancy occasioned by inability or neglect of a delegate elected to attend a convention, such vacancies shall be filled only by vote of the remaining members of the delegation at a meeting duly called for the purpose. Such meeting shall choose a chairman and secretary, and the secretary shall notify the secretary of the convention of the action of the meeting so far as it relates to a vacancy.

**In case of a tie
vote for members
of a town or
ward committee,
or caucus
officers.**

**In case of a tie
when majority
are not elected.**

**In case of a tie
vote for candi-
dates for elective
office.**

unless some one present entitled to vote objects; in case objection is made the caucus shall adjourn until the following or other subsequent day. The hour and place shall, if practicable, be the same as that named in the original call.

**Certificates of
election shall be
sent to all dele-
gates, etc.,
within five days
after caucus is
held.**

election, and to each candidate for an elective office a notice of his nomination.

**Secretary of
caucus shall
keep ballots
five days, also
three months
upon request of
ten voters.**

In case of a tie vote for members of a town or ward committee, or for caucus officers, the members duly elected shall fill the vacancy or vacancies.

In case a majority of a delegation, or ward or town committee or caucus officers are not elected, or in case of a tie vote for candidates for an elective office, the caucus shall at once proceed to another ballot,

SECT. 15. The presiding officer and secretary of each caucus shall within five week days thereafter deliver, send or cause to be sent to each delegate to a political convention and to each member of a political committee, a certificate of his

The secretary of each caucus shall safely keep all ballots cast thereat and all voting lists used therein for the period of five days. If before the expiration of said time he shall be requested in writing by ten voters entitled to vote in said caucus, he

shall safely keep said ballots and voting list for the period of three months thereafter, and shall produce the same if called for by any court of justice.

RECOUNT OF BALLOTS.

Notice of contest etc., to be made within three days. If within three week days of any caucus a person who has received votes thereat for nomination or election to any office, delegation or political committee shall serve

upon the secretary of said caucus a statement in writing claiming an election or nomination, or shall declare in said statement an intention to contest the nomination or election of any other person, such secretary shall retain every envelope containing the ballots for such nomination or office until such claim is withdrawn or the contest for the nomination or election is finally determined by competent authority.

Chairman and secretary of caucus to recount ballots 24 hours after notice. The secretary of a caucus receiving the above notice shall immediately give notice in writing to the person or persons interested, and the chairman and secretary who served at the caucus at which the ballots were cast, shall, within twenty-four hours after the giving of said notice, proceed to recount said ballots and determine the questions raised, and such recount shall stand as the true result of the vote cast in such caucus.

Candidates or agent may be present. And each of such candidates may appear and be present during such recount, either in person or by an agent appointed by him in writing.

SPECIAL CAUCUSES.

Special caucuses. SECT. 16. Caucuses relative to a special election shall be held at such time and place and subject to such reasonable notice as the political

committee whose duty it is to provide for holding the same may determine.

All calls for the same shall be issued by

By whom called. the chairman and secretary of said political committee.

PENALTIES, ETC.

Penalties. SECT. 17. The penalties imposed by law upon officers and voters who violate the provisions of acts regulating state elections are hereby imposed upon officers and voters who violate the provisions of this act.

Supreme and superior court have full power to enforce.

The supreme judicial court and the superior court shall have full power at law or in equity to enforce the provisions of this act.

Inconsistent acts repealed.

SECT. 18. All acts or parts of acts inconsistent herewith are hereby repealed.

[Approved June 5, 1895.]

[ACTS OF 1895, CHAP. 507.]

AN ACT RELATIVE TO THE HOLDING OF CAUCUSES In Certain Cities and Towns.

Be it enacted, etc., as follows:

DEFINITION OF TERMS.

Terms defined. SECTION I. Terms used in this act relating to caucuses shall have application as hereinafter set forth, unless other meaning is clearly apparent from the language or context, or from manifest intent.

The term "**political party**," shall apply to a political party which at the preceding annual state election polled for governor at least three per cent. of the entire vote cast in the state for that office.

The term "**nomination papers**," shall apply only to those used in connection with caucuses, as herein provided.

The term "**caucus officers**," shall apply to wardens, clerks and inspectors, and when on duty to additional officers specially elected, or elected to fill a vacancy and taking part in the conduct of caucuses.

The term "**elective office**," shall apply to candidates for any office to be voted for at a state or municipal election.

CAUCUSES.

(a.) Relating to State Elections.

Caucuses in Boston (and in cities and towns which have adopted this act) shall be held as herein provided.

SECT. 2. All caucuses of a political party in the city of Boston and in any city or town wherein a political party, prior to the passage of this act, accepted the provisions of chapter five hundred and four of the acts of the year eighteen hundred and ninety-four, for the choice of candidates to be voted for at a state election, for the choice of delegates to a political convention to nominate candidates to be voted for at a state election, for the choice of caucus officers, and for the choice of a political committee, shall be called and held as herein provided.

State Committee shall call all caucuses relating to state elections. All caucuses held under the provisions of this act, except those that relate to a municipal or special election, shall be held at the call of the state committee of the political party whose caucuses are to be held, and the chairman and secretary of said state committee

shall, at least twenty-one days before the date on which the caucuses are to be held, forward a copy of the call to the chairman and secretary of each city and town committee of the party.

Shall forward copy of call 21 days before date of caucus.

(b.) Relating to City and Town Elections.

Caucuses relating to city or town elections shall be held on same day.

SECT. 3. All caucuses of a political party in said cities and towns for the choice of candidates to be voted for at a city or town election, and for the choice of delegates to a convention to nominate candidates to be voted for at a city or town election, shall be held on the same day in each city and town, except such caucuses as relate to a special election: *provided, however,* that in said city or town caucuses

Exceptions.

for the choice of delegates to a convention to nominate candidates to be voted for by the city or town at large, may be held upon a different day from the other caucuses above mentioned.

Caucuses for choosing ward committee.

holding caucuses for the choice of candidates to be voted for at a city election.

All caucuses for the choice of a ward committee shall be held on the same day, which may be the same as the day for

the call for a caucus shall be entitled to precedence on the day named.

**First notice to
be issued
eighteen days
before caucus.**

Sect. 4. Notices of caucuses in said cities and towns, whether held at a call of the state committee or at the call of the city or town committee, shall be issued not less than eighteen days prior to the day on which the caucuses are to be held.

**Shall state when
and where nomi-
nation papers
shall be filed.** They shall state the day when the several caucuses shall be held and the place at which nomination papers, as hereinafter provided, shall be filed, and the day and hour prior to which said nomination papers shall be filed.

**Second notice to
be issued seven
days before
caucus.**

Sect. 5. At least seven days prior to the day named for a caucus as hereinbefore provided, the city or town committee shall issue a notice that such caucus will be held, stating the place, the day and the hour of holding the same.

**Hour not to be
earlier than 2
P. M. nor later
than 7.30 P. M.**

The hour shall not be earlier than two o'clock in the afternoon, nor later than half past seven o'clock in the evening, as the city or town committee shall determine.

(d.) Preparation of Polling Places.

**Polling places
shall be provided
at the expense
of the city or
town.**

At least two weeks prior to the date on which a caucus is to be held the chairman or secretary of the city or town committee shall notify the *board of aldermen in a city or the selectmen in a town of such date, and the said *aldermen or selectmen shall, at least ten days prior to the date on which the caucus is to be held, notify the city or town committee of the places selected for holding the caucuses; and said *aldermen or selectmen shall, at the

*In Boston, election commissioners.

**expense of the city or town, provide polling places, and
Booths, etc., shall in cities,
be prepared as
for state
elections.**

committee to be voted for at a caucus, shall be made by nomination papers, as hereinafter provided.

**Shall be signed
by five legal
voters.**

Such papers shall contain the signatures of not less than five legal voters of the ward or town in which the caucus is to be held.

**Members of the
party.**

Said voters shall be members of the political party whose caucus is to be held.

**Signers of papers
shall add resi-
dence.**

Every voter signing a nomination paper shall sign the same in person, and shall add to his signature the street and number, if any, of his residence.

**Number of
names limited.**

Nomination papers placing candidates in nomination shall not contain a larger number of names of candidates than there are persons to be elected. They may contain a less number.

**Information
relative to a
candidate for an
elective office
may be given.**

SECT. 8. In addition to the name of the candidate for an elective office there shall be given the street and number, if any, of his residence, and there may be given his business or occupation, the public offices he has held, or any other information whereby his identity may be established, and his qualifications for the office to be filled, or his position on any public measure, indicated.

**In not exceeding
eight words.**

Any statement of this nature shall be embodied in not exceeding eight words.

**Residence of
caucus officers,
etc.**

Against the name of a candidate for caucus officer or for ward or town committee shall be given the street and number, if any, of his residence.

Personal preferences of candidates for delegates may be given.

person or persons for an office or offices to be filled, or are favorable to, or opposed to, any public measure, or are uncommitted.

In not exceeding eight words.

Time of filing papers shall be endorsed on same.

Papers shall be sealed and filed ten days previous to caucus.

caucus is to be held for which the nominations are made. They shall not be opened until the time fixed for their announcement.

Secretary of city committee to publicly open papers and announce nomination.

In case of error.

In connection with names of persons proposed as delegates to a convention, any such statement may be made as that the persons named are favorable to, or are pledged to support, or to oppose, any person or persons for an office or offices to be filled, or are favorable to, or opposed to, any public measure, or are uncommitted. Such statements shall be embodied in not exceeding eight words.

SECT. 9. The chairman or secretary of the city or town committee shall endorse upon the nomination papers the time at which they are filed with him.

All nomination papers shall be sealed up and filed in the office of the secretary of the city or town committee not less than ten days previous to the day on which the caucus is to be held for which the nominations are made. They shall not be opened until the time fixed for their announcement.

SECT. 10. At the expiration of the time named at which nomination papers are to be filed, the secretary of the city or town committee at his office shall cause such papers to be publicly opened, and the nominations therein made to be publicly announced.

SECT. 11. In case of any error, irregularity or informality in a nomination paper which has been duly filed with the secretary of the city or town committee, he may make or cause to be made any changes necessary to bring it within the requirements herein-

before mentioned. In default of such action he shall immediately notify the person filing the nomination paper, of such error, irregularity or informality, and the said voter may, within two week days of the time at which public announcement was made of the contents of nomination papers, make or cause to be made the change necessary to correct such error, irregularity or informality.

SECT. 12. In a city, in case of the non-receipt in a city. receipt, as herein specified, of nomination

papers placing persons in nomination for all the positions to be filled at the ensuing caucus, in accordance with the provisions hereinbefore given, the secretary of the city committee shall forthwith notify the chairman or secretary of the committee of any ward from which the requisite papers have not been filed. They or one of them shall forthwith call a meeting of said committee, who may nominate candidates for any and all offices for which nomination papers have not been filed, and in case they make a nomination they shall immediately thereafter notify the secretary of the city committee of such action by filing with him nomination papers similar to those hereinbefore described, signed in their official capacity, by all the members of the committee who assent to the nominations therein made. In case of disagreement two sets of such nomination papers may be filed. Said papers shall have the same force and authority as those containing the signatures of five voters of the ward, and shall be considered and treated the same in all respects. If at the expiration of two week days after the time at which nomination papers were opened proper nomination papers have not been filed for all the positions to be filled, or in case of any vacancy caused by death or otherwise, except withdrawals, the chairman and secretary of the city committee as a committee may exercise the nominating powers herein

vested in a ward committee, and nomination papers filed by them shall have the same force and authority as other nomination papers.

In case of non-receipt in a town. SECT. 13. In a town, in case of the non-receipt, as herein specified of nomination papers placing persons in nomination for all the positions to be filled at the ensuing caucus, in accordance with the provisions hereinbefore given, or in case of a vacancy caused by death or otherwise, except a withdrawal, the chairman or secretary of the town committee shall forthwith call a meeting of the said committee, who shall have all the powers relative to the nomination of candidates hereinbefore conferred upon a ward committee, a city committee, and the chairman and secretary of a city committee.

In case of withdrawal by person nominated. SECT. 14. If any person whose name has been presented on a nomination paper shall, within two week days of the published announcement thereof, file with the secretary of the city or town committee a written request for the withdrawal of his name, such request shall be complied with and the secretary of the city and town committee shall immediately notify the person filing the nomination paper of such withdrawal and the provisions of this section relating thereto; and the said person may, within twenty-four hours after the time at which said notice was sent from the secretary's office, present a new name on a paper signed by himself. Said new paper shall have the same force and authority as that originally presented. In case of the non-receipt of a new paper, as herein specified, the chairman and secretary of the city or town committee may fill the vacancy.

Papers shall be sent to city or town clerk.

SECT. 15. Not less than seven week days prior to the day upon which the caucuses are to be held, the secretary of each

city or town committee shall place in the hands of the *city or town clerk the nomination papers filed with him in accordance with the provisions of this act.

To be filed before five P. M. last day of filing. All nomination papers which are by this act required to be filed with the city or town clerk shall be filed in the office of the *city or town clerk before five o'clock in the afternoon of the last day fixed by this act for the filing thereof.

PREPARATION AND FORM OF BALLOTS.

City shall provide ballots

SECT. 16. The city or town shall provide and the *city or town clerk of such city or town shall prepare ballots to be used in caucuses, and such ballots shall be in accordance with the provisions of this act.

No others shall be used.

No other ballots shall be received or counted in a caucus in said city or town held under the provisions of this act.

Certain words, etc., on front and back shall be printed.

At the top of each ballot shall be printed the words "The official ballot of (here shall follow the party name of the committee)." On the back and outside, when folded, of each ballot shall be printed the words "Official ballot of the (here shall be inserted the party name) city [or town] committee," followed by the number of the ward or the name of the town for which the ballot is prepared, the date of the caucus and a fac-simile of the signature of the secretary of the party which has caused the ballot to be prepared.

City or town committee may determine number of ballots for each ward.

The chairman and secretary of the city or town committee may determine the number of ballots to be furnished each ward or town, not to exceed one for each

*In Boston, election commissioners.

registered voter in said ward or town. In case of their failure to do so, the *city or town clerk shall determine the number.

Arrangement of names on ballot.

Candidates for delegates and for committees may be grouped.

Or alphabetically, by request.

the city or town committee by any ward or town committee, or whenever the city or town committee shall vote so to do.

Residence of candidate, except for delegate, to be printed.

Information about candidates to be printed.

Only names duly nominated to be printed.

Blank spaces for writing in other names.

Number to be voted for shall be stated.

SECT. 17. Names of candidates for all elective offices shall be arranged alphabetically according to their surnames.

Names of candidates for caucus officers, for ward or town committees and for delegates to conventions may be arranged in groups in the order in which they are filed.

But shall be arranged alphabetically according to their surnames whenever written request therefor is made to the secretary of

the city or town committee by any ward or town committee, or whenever the city or town committee shall vote so to do.

Against the name of a candidate for a caucus officer for an elective office or a ward or town committee shall be printed the street and number, if any, of his residence.

Against the name of a candidate for an elective office or a political convention shall be printed the statement which is contained in the nomination paper placing the candidate in nomination.

SECT. 18. No names shall be printed on a ballot other than those which have been duly presented on nomination papers.

Immediately following the names of candidates blank spaces for the insertion in writing of other names equal to the number of persons to be chosen shall be provided.

Upon the ballot shall be stated the number of persons to be voted for for the different positions to be filled.

*In Boston, election commissioners.

A star (*) indicates a candidate for re-election.

A cross (X) against a name constitutes a vote.

If more names are marked than candidates, vote not to be counted.

Form and arrangement of ballots same as at state elections.

A star (*) against a name shall indicate that a person is a candidate for re-election.

A cross (X) marked against a name shall constitute a vote for the person so designated.

But if a voter marks a cross against more names than there are persons to be elected to an office, his vote for that office shall not be counted.

The form of ballots and the arrangement of printed matter thereon shall be in general that observed in ballots provided by the state at elections, except as herein otherwise provided.

DELIVERY OF BALLOTS, ETC.

City or town clerk to deliver all ballots and voting list at polling place.

the clerk, if both warden or clerk are absent then to any inspector who may be present, the sample ballots, together with the ballots hereinbefore provided for and the voting lists required by law to be used in caucuses.

Blanks, seals and record book shall be furnished.

The *city or town clerk shall also prepare at the expense of the city or town and deliver at the time and place aforesaid, suitable blank forms and apparatus for canvassing and counting the ballots and making the returns required by this act, a seal of suitable device for each polling place, and a record book.

*In Boston, election commissioners.

**Six fac-simile
copies of ballots
shall be posted
in polling place.**

It shall be the duty of the presiding officer of each polling place, at or prior to the hour of opening the caucus, to cause to be conspicuously posted or placed in such polling place not less than six fac-simile copies of the ballots to be used in the caucuses, such copies to be printed on tinted paper. They shall be kept so posted or placed during the whole time that balloting is in progress.

CONDUCT OF CAUCUSES.

**Order of busi-
ness.**

SECT. 20. The order of business in caucuses shall be as follows:—

(1) Any necessary preliminary business that may properly come before the meeting shall first be transacted.

**Balloting shall
proceed till 8.30
P. M. unless
time is extended.**

(2) Thereafter balloting shall be allowed to proceed uninterruptedly until half past eight o'clock in the evening, when the polls shall be closed unless the caucus shall vote to keep them open until a later hour.

(3) At the conclusion of the balloting, any other business properly before the caucus shall be in order.

Proceedings when Vote is Challenged.

**In case right of
person to vote
is challenged
same proceed-
ing as at gen-
eral elections.**

SECT. 21. If at any caucus held under the provisions of this act the right of a person offering to vote is challenged for any cause recognized by law, the presiding officer shall require the name and residence of the person so offering to vote to be

written by himself, or by some one in his behalf, on the outside of the ballot so offered, and the presiding officer shall add thereto the name of the person so challenging and the assigned

cause for which the challenge is made, before such ballot is received; but nothing in this section shall be construed as permitting officers in the caucus to receive any ballot which by law they are required to refuse.

No officer shall give information in regard to a ballot cast. No officer, otherwise than as above required or permitted, and no person other than an officer of the caucus, shall make any statement or give any information in regard to a ballot cast by a voter so challenged at any such caucus, except as required by law.

COUNTING OF BALLOTS.

Ballots not to be counted till polls are closed.

In full view of voters.

Record of result to be made and sent to *city or town clerk.

SECT. 22. Immediately after the polls are declared closed, but not before, the ballots shall be counted in full view of the voters.

When the total result and counting of ballots has been ascertained the presiding officer shall make public announcement thereof in open meeting, and shall, in open meeting, cause the clerk of the caucus to enter in words at length in the record book, provided for his use by the *city or town clerk, the total number of names checked on the voting list, the total number of ballots cast, the names of all persons voted for, the number of votes received for each person, and the title of the delegation or office for which he was proposed. Each clerk of a caucus shall forthwith make a copy of the record so made by him, certify and seal the same, and transmit the same with the record book to the *city or town clerk, as hereinafter provided.

*In Boston, election commissioners.

Before adjournment clerk to seal up all ballots, check lists, etc.

a statement regarding any challenge which has been made.

Warden and clerk to make endorsements of certain facts on the sealed package.

Warden to transmit to *city clerk the sealed package.

the ballots cast and the voting lists, the copy of the records, sealed as aforesaid, together with the record book of the clerk.

***City clerk to keep all sealed packages for three months, etc.**

The clerk shall then, in the presence of those who are responsible for the count and before the adjournment of the caucus, seal up all ballots which have been cast, together with the check lists used in the caucus and

The warden and clerk of the caucus shall endorse upon such package the name of the political party holding the caucus, for what delegations and candidatures and in what ward the ballots were cast, and the date of the caucus.

The warden shall forthwith transmit to the *city or town clerk, by the police officer or by some other legal officer stationed by said clerk in attendance at the caucus, all

*The city or town clerk shall safely keep such sealed packages for not less than three months, and shall produce the same if called for by any court, justice, tribunal or convention having jurisdiction of the same.

RECOUNT OF BALLOTS.

Request for recount must be filed within 24 hours.

town shall file with the city or town clerk a statement that they have reason to believe that the records and returns made by the caucus officers of such ward or town are erroneous, and

SECT. 23. If, within the twenty-four hours next succeeding the day of any caucus held under the provisions of this act,

ten or more qualified voters of any ward or

*In Boston, election commissioners.

shall specify wherein they deem them in error, in the city of Boston the city clerk shall forthwith transmit such statement

Ballot law commission or registrars of voters shall recount within two days. to the ballot law commission having jurisdiction in the premises, and in other cities and towns to the registrars of voters, together with the sealed package or packages containing all the ballots cast and voting lists used at such caucus, and said ballot law commission or registrars of voters, as the case may be, shall within two days next succeeding the day of such caucus open said package or packages and recount said ballots and determine the question raised, and such recount shall stand as the true result of the vote cast in such caucus.

Candidate or agent may be present. And each candidate interested may appear and be present during such recount, either in person or by an agent appointed by him in writing.

Adoption by Political Parties in Cities and Towns of the Provisions of this Act.

Political parties in cities and towns may adopt this act. SECT. 24. In any city or town after the passage of this act the city or town committee of any political party shall, at the written request of fifty voters, members of said party, call a caucus or caucuses of said party for the purpose of voting upon the question whether the provisions of this act shall be adopted by said political party in said city or town.

Caucuses to accept it, how called. The notice of said caucus or caucuses shall state the day, the place and the hour, not earlier than six o'clock in the evening and not later than half past seven o'clock in the evening, of

holding said caucus or caucuses, and shall be issued at least **Seven days'** seven days prior to the day named for said notice.

caucus or caucuses, and shall be published not less than twice in one or more local newspapers, if there are any such newspapers in such cities or towns, and shall be posted in at least five public places in each ward or town.

Polls shall be open one hour.

The sense of said caucus or caucuses shall be taken by ballot and the polls shall be kept open at least one hour.

Majority required to adopt.

If said political party shall by a majority of the votes cast at said caucus or caucuses vote to adopt the provisions of this act, nomination papers, ballots and other apparatus required for caucuses so held shall be provided for said party at the expense of the city or town, and all caucuses of said

political party in said city or town shall thereafter be conducted according to the provisions of this act.

Acceptance may be revoked after one year.

SECT. 25. A political party of a city or town which has so accepted the provisions of this act may however at any other caucus or caucuses called for the purpose, upon notices given aforesaid, held not less than one year after the date of the caucus or caucuses whereat said acceptance is voted, revoke such action by the affirmative vote of a majority of the voters entitled to vote in such caucus or caucuses present and voting by ballot thereon. The polls at said caucus or caucuses shall be kept open at least one hour. Whenever a political party in a city or town shall vote to accept the provisions of this act or to revoke such acceptance the secretary of the city or town committee of such political party shall, within ten days of such action, file with the secretary of the Commonwealth

and with the clerk of the city or town and the secretary of the state committee of the political party so voting a notice of such action.

CAUCUS OFFICERS.

Names and number. SECT. 26. In such city or town in each year at the caucus held in a ward or town for the choice of delegates to the state convention there shall be chosen one warden, one clerk, and at least five inspectors, and such additional inspectors in wards having more than five precincts as the city committee of the political party whose caucuses are to be held may each year determine.

Qualification. They shall be qualified voters of the ward or town in which they are elected and members of the political party whose caucus is to be held.

Term of office. Every caucus officer so elected shall hold office for the term of one year, beginning with the first day of October succeeding his election and until his successor is elected.

Duties same as required of election officers. SECT. 27. The respective duties of caucus officers shall be in general the same as those required of election officers at elections, as provided in chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety-three and all acts in amendment thereof. They shall, for the performance of their respective duties, attend in their respective wards or towns at the times and places duly designated for caucuses.

Additional officers to serve in one caucus only, may be elected.

SECT. 28. If at any caucus a majority of the caucus officers shall so vote, additional officers, to serve in that caucus only, may be elected by a majority vote of the caucus officers present and voting thereat,

and in case of the absence of any caucus officer the vacancy thus occurring shall be filled in the same manner.

Vacancy to be filled by remaining officers. In case of a vacancy in the number of caucus officers by death, declination of election, resignation, removal from the city or town, or otherwise, the vacancy shall be filled by a majority vote of all the remaining caucus officers.

Removal from the ward or town shall not disqualify. A removal from the ward or town during the year for which an officer was elected shall not disqualify him from serving in the caucus of the ward or town wherein he was elected.

A candidate for an elective office or ward committee cannot serve as caucus officer. No person shall be eligible to the position of warden or clerk who is a member of a ward or town committee, and no person shall serve as a caucus officer at any caucus wherein he is a candidate for an elective office or for a nomination to an elective office, or candidate for ward or town committee.

Caucus officers for first caucus held after adoption of this act to be appointed. SECT. 29. A city or town committee of a political party which shall adopt the provisions of this act shall, not less than ten days prior to holding any caucus under its provisions, appoint such caucus officers as are hereinbefore provided for in each ward or town to serve at the first caucus to be held after the adoption of this act.

In case of a re-division of a city into wards. SECT. 30. In the case of a newly incorporated city, or in the case of a re-division of a city into wards, where a political party has adopted the provisions of this act, at the first caucus held in the next succeeding year, the caucus officers to serve in such caucuses shall be appointed by the

city committee, and at the aforesaid caucuses the regular caucus officers shall be chosen, as hereinbefore provided.

GENERAL PROVISIONS.

**Provisions of
Chap. 417 acts
1893, as to con-
duct of elections,
manner of
voting, etc., to
apply to caucuses
held under this
act.**

and acts in amendment thereof.

Penalties. SECT. 31. All caucuses held under the provisions of this act, except as is herein otherwise provided, shall be held in general accordance with the provisions relative to the conduct of elections and the manner of voting at elections contained in chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety-three

**Supreme and
superior court
have full power
to enforce.**

SECT. 32. The penalties imposed by law upon officers and voters who violate the provisions of acts regulating state elections are hereby imposed upon officers and voters who violate the provisions of this act.

**Inconsistent
acts repealed.**

SECT. 33. All acts or parts of acts inconsistent herewith are hereby repealed.

[Approved June 5, 1895.]

[ACTS OF 1894, CHAP. 271.]

AN ACT RELATIVE TO Sessions of Registrars of Voters.

Sections 37, 40, 49, and 56, Acts of 1893, Chap. 417, as Amended so as to Read:

Registrars of voters in cities except in Boston shall hold day and evening sessions, etc.

Every year continuous sessions from 12 M. to 10 P. M. on 20th day preceding state and city elections.

In Boston, day sessions, etc.

In each ward ten evening sessions of three hours each, between Sept. 2d, ending 20th day preceding state election.

SECTION 37. The registrars of voters, in every city, except the city of Boston, shall hold such day and such evening sessions as the city may by ordinance prescribe, and such other sessions as they shall themselves deem necessary; and they shall in every year hold a continuous session from twelve o'clock, noon, until ten o'clock in the evening on the twentieth day preceding the annual state election, and a like continuous session on the twentieth day preceding the annual city election in every such city. The registrars of voters in the city of Boston shall hold such day sessions as the said city may by ordinance prescribe, and such additional sessions as they shall themselves deem necessary; and they shall, in any event, hold in or near each ward in said city not less than ten evening sessions, each of at least three hours' duration, in the period beginning with the second day of September and ending with the twentieth day preceding the annual state election, and the same number of like ses-

sions in the period succeeding the annual state election and ending with the twentieth day preceding the annual city election in said city; and they shall hold at their principal office a continuous session, from nine o'clock in the morning until ten o'clock in the evening, on the twentieth day preceding the annual state election, and a like continuous session on the twentieth day preceding the annual city election in said city.

At principal office from 9 A. M. to 10 P. M. on 20th day preceding state and city elections.

SECT. 40. In every city registration shall cease at ten o'clock in the evening on the twentieth day preceding the annual state election, and shall be discontinued from that date until the election shall have been held; and registration shall likewise cease at ten o'clock in the evening on the twentieth day preceding the annual city election in such city, and be discontinued thenceforth until the election shall have been held. In every town registration shall cease at ten o'clock in the evening on the Saturday next but one preceding the annual state election, and be discontinued from that date until the election shall have been held; and registration shall likewise cease at ten o'clock in the evening on the Saturday next but one preceding the annual town meeting, and be discontinued thenceforth until the election shall have been held.

In every town, registration shall cease at 10 P. M. the Saturday next but one before state election.

The same before town meeting.

SECT. 56. The registrars of voters shall promptly transmit to the assessors of the city or town notice of every error which

Registrars shall send to assessors errors, etc.

they shall discover in the name or residence of a person assessed therein.

SECT. 6. This act shall take effect upon its passage.

[AMENDED ACTS 1894, CHAP. 291.]

AN ACT RELATIVE TO THE QUALIFICATION OF VOTERS.

Be it enacted, etc., as follows:

Applicants for registration shall be examined when qualifications have not been determined within 4 years.

Unless prevented by physical disability or had right to vote May 1, 1857, shall be required to read, etc.

All registrars of voters to be furnished by the secretary of the Commonwealth with pasteboard slips with constitu-

SECTION 1. Section forty-eight of chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety-three is hereby amended:— SECT. 48. If an applicant's qualifications have not been determined by the registrars within the four years next preceding his application, the registrar, in making the examination, shall examine the applicant under oath in regard to his qualifications, and shall, unless the applicant is prevented by physical disability from so doing, or unless he had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, require him to read in such manner as to show that he is neither prompted nor reciting from memory. For the purpose of testing the ability of the applicant to read as required by this section, all registrars of voters shall be furnished by the secretary of the Commonwealth with the constitution of the Commonwealth, printed on uniform pasteboard slips, each containing

five lines of said constitution printed in ^{tion} double small pica type. The registrars of ^{thereon.} voters shall place said slips in a box to be provided by the secretary of the Commonwealth and so constructed as to conceal the same from view. Each person applying for registration shall be required to draw one of said slips from the box and read the five lines printed thereon, in full view of the registration officers. Each slip shall be re-turned to the box immediately after the test is finished, and the contents of the box shall be shaken up by a registration officer before another drawing is made. No person failing to read the slip thus drawn shall be registered as a voter. All registrars of voters shall keep in said box at all times a full number of said printed pasteboard slips. The secretary of the Commonwealth shall upon request furnish new slips to the registrars to replace those worn out or lost. The applicant shall also be required to write his name in a general register, as required by section forty-four of this act.

Full number of slips to be kept in box, etc.

Secretary Commonwealth to furnish new ones.

Applicant also to write his name in book.

SECT. 2. This act shall take effect upon its passage.

[ACTS OF 1895, CHAP. 61.]

AN ACT RELATIVE TO THE REGISTRATION OF VOTERS.

Be it enacted as follows:

Applicants to present certificate from assessors, tax bill, or notice of assessment as evidence of residence, etc.

Same to be received as evidence.

Persons not assessed May 1st to establish right, etc., must appear with two witnesses to prove right to be legally assessed from residence claimed.

SECTION 1. Every male applicant for registration shall present a certificate from the assessors, or a tax bill or notice from the collector of taxes, showing that he has been assessed as a resident of the city or town on the preceding first day of May, and the same shall be accepted by the registrars as prima facie evidence of such residence, or he shall present a certificate from the assessors that he has been a resident for the six months next preceding the election at which he claims the right to vote, and the same shall be accepted by the registrars as prima facie evidence of such residence. If a male person was a resident of the city or town on the first day of May, and was not assessed a poll tax by the assessors of said city or town on the first day of May, such person, in order to establish his right to be assessed, shall appear before the board of assessors, accompanied by two witnesses who shall testify under oath that they are registered voters of the ward or town in which he desires to be assessed, and who shall also testify under oath to the truth of the statement of the applicant in regard to his right to be assessed at the

place claimed by him as a legal residence on the first day of May.

SECTION 2. Every male person moving into a city or town subsequently to the first day of May, and claiming the right to vote at an election and desiring to be registered by the registrars of voters, shall appear before the board of assessors, accompanied by two witnesses who shall testify under oath that they are registered voters of the ward or town in which he desires to be registered, and who shall also testify under oath to the truth of the statement of the applicant in regard to his being a resident of the city or town for the six months next preceding the election at which he claims the right to vote. The assessors shall give the applicant a certificate stating that he has complied with the provisions of this section.

SECTION 3. The assessors shall, in a book provided for that purpose, enter the name and residence of each person thus assessed or certified, and also opposite each name the names, occupations and residences of the parties who have testified under oath as above provided. In every place where voters are registered, the registrars, and in every place where oaths are administered under this act, the assessors, shall post in a conspicuous place a copy of sections three hundred and fifteen and three hundred and sixteen of chapter four hundred and seventeen of the acts of the year eighteen

To enter names
in a book with
residence, etc.
Registrars and
assessors shall
post copy of
sections 315
and 316 of
Chap. 417, acts
1893.

hundred and ninety-three, printed on white paper with black ink, in type not less than one quarter of an inch wide.

Assessors shall hold day and evening sessions.

SECTION 4. The assessors shall hold such day and such evening sessions as shall be necessary to carry out the provisions of this act.

[EXTRACT FROM CHAP. 275, ACTS OF 1895.]

RELATING TO Distribution of Circulars and Printed Matter in the Vicinity of Polling Places.

In a city or town, on the day of any election of state or city officers, * * * no poster, card, handbill, placard, picture or circular, except a poster to be placed upon the official ballot, intended to influence the action of the voter, shall be posted, circulated or distributed in the polling place, in the building in which the polling place is located, or on the walls thereof, or on the premises on which the building stands, or on the sidewalk adjoining the premises where such election is being held. * * *

In elections of town officers in towns, for which ballots have by law been provided at the expense of the town, * * * no poster, card, handbill, placard, picture or circular, except a poster to be placed upon the official ballot, intended to influence the action of the voter, shall be posted, circulated or distributed in the polling place, in the building in which the polling place is located, or on the walls thereof, or on the premises on which the building stands, or on the sidewalk adjoining the premises where such election is being held. * * *

SECT. 2. Whoever violates the provisions of this act shall be punished by a fine not exceeding twenty dollars.

Approved April 12, 1895.

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*In Boston, election commissioners.

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